

TOWN OF WEBSTER
Office of Selectmen
945 Battle Street/Rte. 127
Webster, NH 03303

7:00 P.M. Selectmen's Meeting – March 21, 2011

Present: Selectman George Hashem; Selectman George Cummings and Selectman Bruce Johnson

The Board signed the payroll and check manifests.

Selectman Hashem called for a motion to appoint a Chairman for the Board. Selectman Johnson made a motion to nominate Selectman Cummings as Chairman; seconded by Selectman Cummings and approved. Selectman Hashem commented that the tradition and who was picked didn't matter, though he thought that tradition was very important to some people.

The Board signed the following for Mrs. Jones:

- Selectman Hashem made a motion to accept the minutes of the February 22, 2011 Selectmen's Meeting as amended; seconded by Chairman Cummings and approved;
- As not all the Selectmen had reviewed the minutes of March 7th, they were tabled until the next meeting;
- A Vacation and Sick Leave slip for Mrs. Jones; and
- Four notices of "Intent to Tax Real Property on Land of Another" to those land owners who have mobile or manufactured homes owned by others on their property.

The Board reviewed a contract with Avitar for "Software Purchase & Installation Agreement for the Tax Collect Internet Kiosk System". A new contract with language indicating the actual cost to the Town will be requested prior to signing a contract.

The Board signed the following for Financial Administrator Wendy Pinkham:

- Selectman Hashem made a motion to withdraw \$1,349.84 from the Office Equipment Capital Reserve, established in 1994, for the purchase of two computers: one for the Selectmen's Office and one for the Town Clerk; seconded by Selectman Johnson and approved. The Board then signed Purchase Order #5 for the Office to Mainstay Technologies for two new Dell computers in the amount of \$1,349.84;
- Purchase Order #6 for the Highway Dept. to NH Correctional Industries – Sign Shop for signs in the amount of \$314.60;
- February Bank Reconciliation;
- An Intent to Excavate for Richard Cummings – Map 9-23-4; and
- A Sick Leave Slip for Mrs. Pinkham.

Mrs. Pinkham requested permission to do a check out of sequence for postage for the Tax Collector as the request was not received in time for tonight, to which the Board had no objection.

Police Chief Robert Dupuis presented or advised the Board of the following:

- A leave request for vacation for Lieutenant Mitchell;
- Provided the Department's semi-monthly report noting 33 calls for service pointing out the highlights;
- Advised that RSA 664:17 "Placement and Removal of Political Advertising" which states in part that "...the advertising is placed with the consent of the owner of the land over which the right-of-way passes." will be enforced from now on. There was discussion on where permission would come from to post in front of the Town Hall with Chief Dupuis advising that it would take the approval of a majority of the Selectmen; and
- Notice has been received from Fish and Game that there is grant money available for OHRV enforcement. He would like to do the same as is currently being done with the Army Corp of Engineers whereby the Town would be reimbursed \$45 per hour of patrol time times four hours with the weeks alternating between the two agencies, weather permitting. This would result in revenue to the Town as the patrol would be done during regular hours worked by an officer.

Chairman Cummings reported that five Towns were represented at the meeting with the Town of Salisbury and Don Jutton from MRI; Boscawen, Salisbury, Webster, Warner and Andover. Discussed were ways in which municipalities could join forces for better pricing to include supplies, equipment and services. A follow-up meeting is expected. Salisbury Selectman Ken Ross-Raymond attended tonight's meeting and advised that his Board is waiting for a response from the surrounding towns to see if there is any interest; that they were only in the early stages of discussion and were meeting for educational purposes only at this time. Chief Dupuis advised that he

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G. C. Cummings

B. G. Johnson

has an "Interim Assistance Agreement", between the Towns of Salisbury and Webster and the Merrimack County Sheriff's Department to be in force until such time as Salisbury has a Police Chief, which he will sign. This same agreement has been sent to all the surrounding towns. There was much discussion on mutual aid, frequency, possible damage to equipment and who would cover the expense, etc. Chief Dupuis advised that he would come to the Board if he thought there was abuse of services, noting that the State Police were doing most of the coverage at this time. Chairman Cummings asked Selectman Ross-Raymond if there was "any light at the end of the tunnel" regarding the return of their Police Department. He said not at this time. Selectman Hashem expressed concerns about the time this would require, including possible overtime. Chief Dupuis noted that each officer keeps a daily log so that this can be monitored and that the Chief would track this. John Clark supported this approach. Sue Roberts questioned if Webster residents would have to wait if service was needed should the police be in Salisbury. Chief Dupuis advised that there are other mutual aid towns that can respond should the need arise.

Fire Chief Colin Colby advised that there were 39 calls to date. He attended the Fire Compact Meeting advising that the Town of Hillsborough will not be joining the compact in regards to the dispatch. He advised that calls are down in the district by over 8% with Webster at about 6%. Webster will host the Capital Area Mutual Aid meeting on April 21st at the Station.

The Board welcomed newly elected Treasurer Mary Smith.

Road Agent Emmett Bean advised that the roads were extremely soft due to the moisture in the ground. His plans to cold patch have been put on hold.

Zoning Board Chairman Marty Bender, noting that Shawn Smith has resigned as an Alternate on the Board, proposed to put a notice in the Grapevine opening up the position to those interested to which the Board had no objection. Chairman Cummings noted that it is expected that there will be an application in the near future for an apartment in regards to the ongoing litigation.

The following appointments were voted upon for a three-year term, until 2014, unless otherwise noted:

Agricultural Commission:

Robert Drown, Jr. – Member 2

Martin Bender – Alternate 3

Selectman Hashem made the motion to appoint the above members; seconded by Selectman Johnson and approved.

Conservation Commission:

Betsy Janeway – Member 3

Nancy Van Loan – Alternate 2

Robert Quinn – Alternate 3

Nancy Clark – Alternate 1 – until 2013

Jack Chwasciak – retired

Selectman Hashem made the motion to appoint the above members; seconded by Selectman Johnson and approved.

Joint Loss Management Committee:

Robert Dupuis – Member 1

Colin Colby – Member 2

Marjorie Blanchette – Member 3

Judith Jones – Member 4

Philip Mitchell – resigned

Selectman Hashem made the motion to appoint the above members; seconded by Selectman Johnson and approved.

Parks Committee:

Brenda Silver – Member 2

Leslie Silver – Member 3

Selectman Hashem made the motion to appoint the above members; seconded by Selectman Johnson and approved.

Chairman Cummings tabled the appointments to the Planning Board for now.

Sanitary Landfill Committee:

Barbara Corliss – Member 2

Sally Embley – Alternate 1

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The Selectmen decided to add an Alternate to this Board with a request for those interested to go in the Grapevine.
Selectman Hashem made the motion to appoint the above members; seconded by Selectman Johnson and approved.

Mrs. Jones has a request in with Hopkinton regarding the posting of the meetings for the Landfill Committee and the writing of the minutes as currently the meeting dates are not posted in Webster nor have the minutes been available.

Zoning Board of Adjustment:

Barbara Corliss – Member 2

Don Koberski – Member 3

Normandie Blake – Alternate 3

Jaye Bowe – Alternate 1 – 2013

Martin Bourque – Alternate 2 – 2012

Guy Larochelle – Alternate 4 – 2013

Shawn Smith – resigned

Alternate 5 is vacant with requests for interest to be put in the Grapevine.

Selectman Hashem made the motion to appoint the above members; seconded by Selectman Johnson and approved.

It was noted that all outstanding inspection fees and any other outstanding fees have been collected.

The dead pine tree at the Webster/Boscawen town line has been removed by the State.

The owner of 433 Deer Meadow Road had called the office and advised that he would send a letter advising that there was no apartment at that address. As no letter was received, the assessors will be asked to review the property and the Board will be kept advised.

Selectman Hashem made a motion to nominate Carol Creighton as a Trustee of Trust Funds to complete this year for Mary Smith until the next election; seconded by Selectman Johnson and approved. Mrs. Smith resigned as being the Treasurer and Trustee at the same time are incompatible offices pursuant to RSA 669:7.

Bids will be requested from those that already bid for the replacement of the Town Hall roof. Robert Lake offered some suggestions for specs to be included with the request.

The Board agreed to put up those lots for sale, as voted at Town Meeting, as soon as possible. Mrs. Jones reminded the Board that these lots would remain tax exempt for 2011, as all property is taxed as it is on April 1st of every year, but if sold would be added to the tax roll for 2012.

There are six applications for the position of Planning and Zoning Secretary. These will be reviewed, with two chosen for interviews. The Chairmen of Planning and Zoning will be asked to attend if possible. The hourly pay was discussed, with the Board provided with a potential outline for the wages. Mrs. Jones and Mrs. Pinkham were asked to narrow the list to two applicants, with interviews to follow.

After discussion regarding the ongoing litigation and e-mails received by Town Counsel, Chairman Cummings offered to draft time lines for the "Settlement Agreement" and to make recommendations as requested by the Town Attorney and e-mail these to him with cc's to the Selectmen. The other Selectmen had no objection.

Chairman Cummings discussed the Selectmen's pay and expenses, noting that they were paid at different times of the year over the last four years and not at the end of year as had historically been done. Once they were paid in July, with Chairman Cummings expressing concerns regarding how a replacement for the Selectman, if one was needed, would be paid if the pay was gone. He recommended that the Selectmen be paid monthly beginning on April 1st or \$166.66 monthly, exclusive of the expenses. Selectman Hashem made a motion to make the Selectmen's pay zero. There was no second to this motion. Selectman Johnson made a motion to pay the Selectmen monthly exclusive of the expenses; seconded by Chairman Cummings and approved. Selectman Hashem then made a motion that the expenses be limited to \$415 per Selectman annually and be paid only with the submission of expenses; seconded by Selectman Johnson and approved.

Referring to the recordings of meetings, Chairman Cummings advised that he plans to talk to the Town Attorney. He referred to case law, noting that it was clear in the Statutes as well, that notes, recordings, etc. can be destroyed upon completion of the official written

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minutes; however there is nothing in the law that says they have to be destroyed. He alluded to other Towns that have their recordings available to the public. He is well aware of Town Counsel's advice to destroy recordings, but is suggesting that should the recording be kept, that the Town make these available to the public in the most cost effective way possible. Selectman Hashem suggested that only someone interested in litigation would be interested in the voice recordings, which is of concern to him, referring to benefits versus risk. Ellen Cilley referenced her written request made last October to keep the recordings for a period of time, noting that 80% of the towns she researched kept recordings for a timeframe. She referred to Hopkinton and their strong support of this practice as it had been beneficial in the past for clarification purposes and noted that it helped keep the meetings orderly. Chairman Cummings noted that the Town Attorney advises the Town on legal advice not policy, which is decided by the Board. Chairman Cummings plans on asking Town Counsel as to where there is risk. John Clark noted that the recordings should not be feared and in fact may benefit those unable to attend. There was some discussion on possibly doing a video of the meetings. Chief Dupuis advised that it may be necessary to post the fact that meetings are being recorded. Chairman Cummings advised that this issue will be on the next agenda.

8:52 P.M. Selectman Johnson made a motion to adjourn the meeting; seconded by Selectman Hashem and approved.

George C. Cummings, Chairman

George K. Hashem

Bruce G. Johnson

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